



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street, 3rd Floor
New York, New York 10007*

April 11, 2019

BY ECF and FACSIMILE (212) 805-7986

Hon. Paul G. Gardephe
United States District Judge
United States Courthouse
40 Foley Square
New York, NY 10007

Re: *United States v. Novartis*, No. 11 Civ. 0071 (PGG)

Dear Judge Gardephe:

We write respectfully on behalf of the United States to provide the Court with corrected copies of the parties' Joint Exhibit List and the Plaintiff's Exhibit List, which are attached hereto as Exhibits A and B, respectively. The Corrected Joint Exhibit List contains the following additional document, NOVARTIS-USAO-0035780 - NOVARTIS-USAO-0050419, which was inadvertently left off the originally filed Joint Exhibit List and corrects a formatting error in the Date column. The Corrected Plaintiff's Exhibit List removes six documents that were also listed on the parties' Joint Exhibit List.

We further write to notify you that, at the request of Novartis Pharmaceutical Corporation ("Novartis"), the Government delayed in filing the Declaration of Jeannette A. Vargas, dated April 8, 2019, in support of the United States's *motions in limine*. The Declaration and accompanying exhibits were served upon all counsel in this case along with its motion papers. Because certain exhibits to the Declaration had been marked as confidential by Novartis pursuant to the Protective Order that governs this case, Novartis requested an opportunity to review those documents in order to ascertain whether any document should be filed under seal. Novartis has since notified us that the documents in question can be publicly filed, and thus the Declaration and exhibits were filed on ECF this afternoon.

We thank the Court for its consideration of these matters.

Respectfully,

GEOFFREY S. BERMAN
United States Attorney

By: /s/ Jacob M. Bergman
JEANNETTE VARGAS
PIERRE ARMAND
MÓNICA FOLCH
JACOB LILLYWHITE
JENNIFER JUDE
JACOB BERGMAN
Assistant United States Attorneys
Tel: (212) 637-2678

Copy to (via email):

Rachel G. Skaistis, Esq. (rskaistis@cravath.com)

Michael A. Rogoff, Esq. (michael.rogoff@kayescholer.com)

Andrew Gropper, Esq. (andrew.gropper@ag.ny.gov)

James Miller, Esq. (jmiller@sfmslaw.com)